

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

MR. MICHAEL B. WOOLMAN, )  
                            )  
Plaintiff,             )                  4:13CV3020  
                            )  
                            )  
v.                        )  
                            )  
SOUTHEAST COMMUNITY COLLEGE, )                  MEMORANDUM OPINION  
                            )  
                            )  
Defendant.             )  
                            )  
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This matter is before the Court on plaintiff's "Motion to Dismiss" (Filing No. [10](#)). Pursuant to Rule 41, a plaintiff may dismiss an action by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment, or by filing a stipulation of dismissal signed by all parties who have appeared. [Fed. R. Civ. P. 41\(a\)](#). In addition, a court may grant a request for voluntary dismissal "on terms that the court considers proper." [Id.](#) Here, defendant has not been served with the complaint. Therefore, the Court will grant plaintiff's Motion to Dismiss. A separate order will be entered herein accordance with this memorandum opinion.

DATED this 29th day of March, 2013.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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